

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

Tomas Garcia-Orihuela

Civ. No. 17-292 (RHK/KMM)

Plaintiff,

v.

**ORDER**

Ricardo Muro, Other  
Unknown Police Officers  
of the Minneapolis Police  
Department, Minneapolis  
Police Department, and  
City of Minneapolis,

Defendants.

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This matter is before the court on the Report and Recommendation of United States Magistrate Judge Katherine M. Menendez dated September 5, 2017. (Docket No. 22.) In the R&R, Magistrate Judge Menendez recommends dismissal of this action without prejudice under Federal Rule of Civil Procedure 41(b) for failure to prosecute. Plaintiff has not objected to the R&R, and the time period to do so has expired.

Accordingly, **IT IS HEREBY ORDERED that**

1. The R&R (Docket No. 22) is **ADOPTED**; and
2. This action is **DISMISSED WITHOUT PREJUDICE** for failure to prosecute.

**LET JUDGMENT BE ENTERED ACCORDINGLY.**

Dated: September 28, 2017

s/Paul A. Magnuson

Paul A. Magnuson

United States District Court Judge